

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL No. 1456

THIS DOCUMENT RELATES TO:

CIVIL ACTION: 01-CV-12257-PBS

ALL CLASS ACTIONS RELATING TO THE
TRACK TWO DEFENDANTS

Judge Patti B. Saris

**NOTICE OF FILING PROPOSED ORDER REVISING CERTAIN DATES
RELATED TO THE TRACK TWO SETTLEMENT**

Pursuant to the Court's direction at the status conference related to the Track Two Settlement held on December 16, 2008, Plaintiffs hereby submit a [Proposed] Order Revising Certain Dates Related to the Track Two Settlement. The proposed order is attached hereto as Exhibit A.

DATED: December 23, 2008

By /s/ Steve W. Berman
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CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE

Docket No. MDL 1456

I, Steve W. Berman, hereby certify that I am one of plaintiffs' attorneys and that, on December 23, 2008, I caused copies of the foregoing, **NOTICE OF FILING PROPOSED ORDER REVISING CERTAIN DATES RELATED TO THE TRACK TWO SETTLEMENT** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Steve W. Berman
Steve W. Berman